

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MUHAMMED HARGROVE,	:	
	:	
Petitioner,	:	CIVIL ACTION NO. 17-112
	:	
v.	:	
	:	
CYNTHIA LINK and THE ATTORNEY	:	
GENERAL OF THE STATE OF	:	
PENNSYLVANIA,	:	
	:	
Respondents.	:	

ORDER

AND NOW, this 17th day of May, 2019, the petitioner, Muhammed Hargrove, having filed a petition for a writ of habeas corpus seeking the reinstatement of his direct appeal rights in state court (Doc. No. 1); and the respondents having indicated during the May 16, 2019 telephone conference that they have no objection to the court granting the relief requested in the petition; and, for good cause shown, it is hereby **ORDERED** as follows:

1. The clerk of court shall **REMOVE** this matter from civil suspense and **RETURN** it to the court's active docket;
2. The petition for a writ of habeas corpus (Doc. No. 1) is conditionally¹ **GRANTED** and the petitioner's direct appeal rights in state court shall be reinstated;
3. The petitioner shall have thirty (30) days from the date of this order to file a notice of appeal with the Office of Judicial Records;
4. The court **DECLINES TO ADOPT** the report and recommendation (Doc. No. 17) insofar as it is now moot; and

¹ The petition is conditionally granted to require the Commonwealth of Pennsylvania to reinstate the petitioner's direct appeal rights *nunc pro tunc* and accept the petitioner's anticipated notice of appeal within the period set forth in this order or this court will vacate the petitioner's conviction.

5. The clerk of court is **DIRECTED** to mark this case **CLOSED**.

BY THE COURT:

/s/ *Edward G. Smith*
EDWARD G. SMITH, J.